

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Ernest Robles, Presiding
Courtroom 1568 Calendar**

Tuesday, September 7, 2021

Hearing Room 1568

10:00 AM

2:21-13473 Anthony Hung Quan Ho

Chapter 7

#1.00 Hearing
RE: [27] Notice of motion and motion for relief from automatic stay with supporting declarations ACTION IN NON-BANKRUPTCY FORUM RE: Wanda Hadley v St Vincent Medical Center re BC684900 .

Docket 27

Tentative Ruling:

9/2/2021

Tentative Ruling:

Note: Parties may appear at the hearing either in-person or by telephone. Parties electing to appear in-person shall comply with all requirements regarding social distancing, use of face masks, etc. which may be in effect at the time of the hearing. Parties electing to appear by telephone should contact CourtCall at 888-882-6878 no later than one hour before the hearing.

This motion for relief from the automatic stay has been set for hearing on the notice required by LBR 4001(c)(1) and LBR 9013-1(d)(2). On August 24, 2021, the Debtor filed his Response. Doc. No. 30. The Debtor argues that the Motion must be denied for improper service upon the Court and the Chapter 7 Trustee, because the Debtor allegedly filed for bankruptcy in bad faith, and because certain exhibits were not properly attached to the Motion.

The Motion is DENIED without prejudice. The Movant's proof of service indicates that the Debtor was not served with this motion. Doc. No. 27 at 9. Additionally, Movant failed to attach its Exhibit A as referenced in its Motion. Doc. No. 27 at 6. Movant may refile this Motion with service upon the Debtor and any other interested party in accordance with applicable local, federal, and Court-specific rules and is ordered to attach Exhibit A as referenced.

No appearance is required if submitting on the court's tentative ruling. If you intend to submit on the tentative ruling, please contact Daniel Koontz or Landon Foody the

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Chapter 7

Judge's law clerks, at 213-894-1522. **If you intend to contest the tentative ruling and appear, please first contact opposing counsel to inform them of your intention to do so.** Should an opposing party file a late opposition or appear at the hearing, the court will determine whether further hearing is required. If you wish to make a telephonic appearance, contact Court Call at 888-882-6878, no later than one hour before the hearing.

Party Information

Debtor(s):

Anthony Hung Quan Ho

Represented By
James R Selth

Trustee(s):

Timothy Yoo (TR)

Represented By
Carmela Pagay

**United States Bankruptcy Court
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2:21-14870 Herlinda Rubio

Chapter 7

#2.00 HearingRE: [9] Notice of motion and motion for relief from the automatic stay with supporting declarations PERSONAL PROPERTY RE: 2015 HONDA Accord LX Sedan 4D . (Johnson, Marjorie)

Docket 9

Tentative Ruling:

9/2/2021

Tentative Ruling:

Note: Parties may appear at the hearing either in-person or by telephone. Parties electing to appear in-person shall comply with all requirements regarding social distancing, use of face masks, etc. which may be in effect at the time of the hearing. Parties electing to appear by telephone should contact CourtCall at 888-882-6878 no later than one hour before the hearing.

This Motion for relief from the automatic stay has been set for hearing on the notice required by LBR 4001(c)(1) and LBR 9013-1(d)(2). The failure of the Debtor, the trustee, and all other parties in interest to file written opposition at least 14 days prior to the hearing as required by LBR 9013-1(f) is considered as consent to the granting of the Motion. LBR 9013-1(h). Cf. Ghazali v. Moran, 46 F.3d 52, 53 (9th Cir. 1995).

The Motion is GRANTED pursuant to 11 U.S.C. § 362(d)(1) for cause to permit Movant, its successors, transferees and assigns, to enforce its remedies to repossess or otherwise obtain possession and dispose of its collateral pursuant to applicable law, and to use the proceeds from its disposition to satisfy its claim. Movant may not pursue any deficiency claim against the Debtor or property of the estate except by filing a proof of claim pursuant to 11 U.S.C. § 501. The Court takes judicial notice of the Chapter 7 Individual Debtor's Statement of Intention in which the Debtor stated an intention to surrender the vehicle to Movant.

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CONT... Herlinda Rubio

Chapter 7

This order shall be binding and effective despite any conversion of the bankruptcy case to a case under any other chapter of Title 11 of the United States Code. All other relief is denied.

Movant shall upload an appropriate order via the Court's Lodged Order Upload system within 7 days of the hearing.

The 14-day stay prescribed by FRBP 4001(a)(3) is waived.

No appearance is required if submitting on the court's tentative ruling. If you intend to submit on the tentative ruling, please contact Daniel Koontz or Andrew Lockridge, the Judge's law clerks, at 213-894-1522. **If you intend to contest the tentative ruling and appear, please first contact opposing counsel to inform them of your intention to do so.** Should an opposing party file a late opposition or appear at the hearing, the court will determine whether further hearing is required. If you wish to make a telephonic appearance, contact Court Call at 888-882-6878, no later than one hour before the hearing.

Party Information

Debtor(s):

Herlinda Rubio

Represented By
D Justin Harelik

Trustee(s):

Jason M Rund (TR)

Pro Se

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2:21-14906 Kevin Joseph Calvillo

Chapter 7

#3.00 HearingRE: [8] Notice of motion and motion for relief from the automatic stay with supporting declarations PERSONAL PROPERTY RE: 2013 Lexus IS 250 . (Martinez, Kirsten)

Docket 8

Tentative Ruling:

9/2/2021

Tentative Ruling:

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This Motion for relief from the automatic stay has been set for hearing on the notice required by LBR 4001(c)(1) and LBR 9013-1(d)(2). The failure of the Debtor, the trustee, and all other parties in interest to file written opposition at least 14 days prior to the hearing as required by LBR 9013-1(f) is considered as consent to the granting of the Motion. LBR 9013-1(h). Cf. Ghazali v. Moran, 46 F.3d 52, 53 (9th Cir. 1995).

The Motion is GRANTED pursuant to 11 U.S.C. § 362(d)(1) for cause to permit Movant, its successors, transferees and assigns, to enforce its remedies to repossess or otherwise obtain possession and dispose of its collateral pursuant to applicable law, and to use the proceeds from its disposition to satisfy its claim. Movant may not pursue any deficiency claim against the Debtor or property of the estate except by filing a proof of claim pursuant to 11 U.S.C. § 501. The Court takes judicial notice of the Chapter 7 Individual Debtor's Statement of Intention in which the Debtor stated an intention to surrender the vehicle to Movant.

This order shall be binding and effective despite any conversion of the bankruptcy case to a case under any other chapter of Title 11 of the United States Code. All other

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CONT... **Kevin Joseph Calvillo**
relief is denied.

Chapter 7

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The 14-day stay prescribed by FRBP 4001(a)(3) is waived.

No appearance is required if submitting on the court's tentative ruling. If you intend to submit on the tentative ruling, please contact Daniel Koontz or Andrew Lockridge, the Judge's law clerks, at 213-894-1522. **If you intend to contest the tentative ruling and appear, please first contact opposing counsel to inform them of your intention to do so.** Should an opposing party file a late opposition or appear at the hearing, the court will determine whether further hearing is required. If you wish to make a telephonic appearance, contact Court Call at 888-882-6878, no later than one hour before the hearing.

Party Information

Debtor(s):

Kevin Joseph Calvillo

Represented By
Lauren M Foley

Trustee(s):

Jason M Rund (TR)

Pro Se

**United States Bankruptcy Court
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2:21-15180 Caritina Castillo Olvera

Chapter 7

#4.00 HearingRE: [12] Notice of motion and motion for relief from the automatic stay with supporting declarations PERSONAL PROPERTY RE: 2019 Nissan Altima . (Martinez, Kirsten)

Docket 12

Tentative Ruling:

9/2/2021

Tentative Ruling:

Note: Parties may appear at the hearing either in-person or by telephone. Parties electing to appear in-person shall comply with all requirements regarding social distancing, use of face masks, etc. which may be in effect at the time of the hearing. Parties electing to appear by telephone should contact CourtCall at 888-882-6878 no later than one hour before the hearing.

This Motion for relief from the automatic stay has been set for hearing on the notice required by LBR 4001(c)(1) and LBR 9013-1(d)(2). The failure of the Debtor, the trustee, and all other parties in interest to file written opposition at least 14 days prior to the hearing as required by LBR 9013-1(f) is considered as consent to the granting of the Motion. LBR 9013-1(h). Cf. Ghazali v. Moran, 46 F.3d 52, 53 (9th Cir. 1995).

The Motion is GRANTED pursuant to 11 U.S.C. § 362(d)(1) for cause to permit Movant, its successors, transferees and assigns, to enforce its remedies to repossess or otherwise obtain possession and dispose of its collateral pursuant to applicable law, and to use the proceeds from its disposition to satisfy its claim. Movant may not pursue any deficiency claim against the Debtor or property of the estate except by filing a proof of claim pursuant to 11 U.S.C. § 501. The Court takes judicial notice of the Chapter 7 Individual Debtor's Statement of Intention in which the Debtor stated an intention to surrender the vehicle to Movant.

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CONT... Caritina Castillo Olvera

Chapter 7

This order shall be binding and effective despite any conversion of the bankruptcy case to a case under any other chapter of Title 11 of the United States Code. All other relief is denied.

Movant shall upload an appropriate order via the Court's Lodged Order Upload system within 7 days of the hearing.

The 14-day stay prescribed by FRBP 4001(a)(3) is waived.

No appearance is required if submitting on the court's tentative ruling. If you intend to submit on the tentative ruling, please contact Daniel Koontz or Andrew Lockridge, the Judge's law clerks, at 213-894-1522. **If you intend to contest the tentative ruling and appear, please first contact opposing counsel to inform them of your intention to do so.** Should an opposing party file a late opposition or appear at the hearing, the court will determine whether further hearing is required. If you wish to make a telephonic appearance, contact Court Call at 888-882-6878, no later than one hour before the hearing.

Party Information

Debtor(s):

Caritina Castillo Olvera

Represented By
Raymond Perez

Trustee(s):

David M Goodrich (TR)

Pro Se